

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Esme Trontz	Team: Squad #2	CCRB Case #: 201901852	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 02/15/2019 5:30 PM	Location of Incident: 72 Ralph Avenue	Precinct: 81	18 Mo. SOL 8/15/2020	EO SOL 4/1/2021	
Date/Time CV Reported Thu, 02/21/2019 8:30 AM	CV Reported At: IAB	How CV Reported: E-mail	Date/Time Received at CCRB Thu, 02/28/2019 11:15 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Andrew Fredrickson	03273	956659	081 PCT
2. POF Lace Kirk	14349	956802	081 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Andrew Fredrickson	Abuse: Police Officer Andrew Fredrickson refused to provide his name to § 87(2)(b)	
B.POF Lace Kirk	Abuse: Police Officer Lace Kirk refused to provide her name to § 87(2)(b)	
C.POM Andrew Fredrickson	Abuse: Police Officer Andrew Fredrickson refused to provide his shield number to § 87(2)(b)	
D.POF Lace Kirk	Abuse: Police Officer Lace Kirk refused to provide her shield number to § 87(2)(b)	

Case Summary

§ 87(2)(b) filed this complaint with IAB via e-mail on February 21, 2019. The complaint was received by the CCRB on February 28, 2019 via IAB log #19-7714 (Board Review #01).

On February 15, 2019, at approximately 5:30 p.m., Police Officer Lace Kirk and Police Officer Andrew Fredrickson of the 81st Precinct responded to a 911 call for a vehicle accident involving § 87(2)(b)'s vehicle at 72 Ralph Avenue in Brooklyn. Police Officer Kirk and Police Officer Fredrickson allegedly failed to give their names (**Allegations A and B: Abuse of Authority- Refusal to provide name,** § 87(2)(g) and shield numbers when § 87(2)(b) requested them (**Allegations C and D: Abuse of Authority- Refusal to provide shield number,** § 87(2)(g) § 87(2)(b) was not arrested or issued any summonses during this incident.

No video footage was found for this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Andrew Fredrickson refused to provide his name to § 87(2)(b)

Allegation (B) Abuse of Authority: Police Officer Lace Kirk refused to provide her name to § 87(2)(b)

Allegation (C) Abuse of Authority: Police Officer Andrew Fredrickson refused to provide his shield number to § 87(2)(b)

Allegation (D) Abuse of Authority: Police Officer Lace Kirk refused to provide her shield number to § 87(2)(b)

§ 87(2)(b) provided a phone statement on March 11, 2019 (Board Review #02). He was interviewed at the CCRB on April 4, 2019. Police Officer Kirk and Police Officer Fredrickson were interviewed at the CCRB on September 26, 2019.

It is undisputed that Police Officer Kirk and Police Officer Fredrickson responded to a report of a vehicle collision at 72 Ralph Avenue in Brooklyn and spoke with § 87(2)(b). When the officers were less than five feet away from § 87(2)(b), Police Officer Fredrickson told § 87(2)(b) they had to go. Police Officer Kirk and Police Officer Fredrickson left the scene. Neither officer provided their name or shield number to § 87(2)(b) at 72 Ralph Avenue. Approximately 15 minutes after the officers departed 72 Ralph Avenue, § 87(2)(b) went to the 81st Precinct stationhouse and spoke to Police Officer Fredrickson. There, Police Officer Fredrickson provided his and Police Officer Kirk's names and shield numbers. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(b) stated that while he was speaking to the officers at 72 Ralph Avenue, the officers told him they had to go. The officers did not explain why or where they had to go. § 87(2)(b) then asked Police Officer Kirk and Police Officer Fredrickson for their names and shield numbers. The officers did not respond to this request and walked back to their vehicle without saying anything.

Police Officer Kirk and Police Officer Fredrickson both testified that while speaking with § 87(2)(b) they received a call for an officer in distress. Police Officer Fredrickson further stated that after he received this call, he told § 87(2)(b) to stay on scene and that he and Police Officer Kirk would be right back. § 87(2)(b) went to the stationhouse before Police Officer Fredrickson and Police Officer Kirk had a chance to go back to the scene. Police Officer Kirk and Police Officer Fredrickson both denied hearing § 87(2)(b) ask for either of their names or shield numbers at 72 Ralph Avenue.

Police Officer Fredrickson and Police Officer Kirk both noted in their memo book entries that at 5:35 p.m., they responded to a vehicle accident at 72 Ralph Avenue. They also both noted that at 5:56 p.m., they responded to a request to assist a police officer at 845 Gates Avenue. Police Officer Fredrickson's memo book notes that at 6:09 p.m., he was transporting a prisoner for a crime. Police Officer Kirk's memo book notes that at 6:12 p.m., she returned to the 81st Precinct stationhouse (Board Review #04).

The EVENT Summary from the 81st Precinct on February 15, 2019 showed that at 5:32 p.m., there was a call for a vehicle accident at 72 Ralph Avenue in Brooklyn. At 5:56 p.m., there was a request to assist a police officer at 845 Gates Avenue in Brooklyn (Board Review #03).

§ 87(2)(g)

According to NYPD Patrol Guide Procedure 203-09, officers must courteously and clearly state their name and shield number or otherwise provide them to anyone who requests that information (Board Review #05).

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been a party to one other CCRB complaint (Board Review #06).
 - § 87(2)(b)
- Police Officer Fredrickson has been a member-of-service for five years and has been a subject in two CCRB complaints and two allegations, none of which were substantiated.
§ 87(2)(g)
- Police Officer Kirk has been a member-of-service for five years and has been a subject in three CCRB complaints and three allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- On May 6, 2019, this case was sent to the Mediation unit. On September 16, 2019, the case was returned for investigation as § 87(2)(b) no longer wanted to mediate the complaint.
- A Notice of Claim search request was submitted to the NYC Office of the Comptroller on September 27, 2019. The results will be included in the case file upon receipt.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date
Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date
Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date